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SLOVENIA

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I. LAND AND PEOPLE

1. Slovenia belongs to the smaller and less developed countries of Europe. It covers an area of 20,251 km². According to data from the population census of 31 March 1991, Slovenia had 1,965,986 inhabitants. According to the latest information (of 30 September 1992) Slovenia has 1,996,072 inhabitants, of which 968,243 or 48.5 per cent are male and 1,027,844 or 51.5 per cent are female. Population density amounts to 98.5 inhabitants per km². The capital city is Ljubljana, which has a population of around 280,000. The other major urban centres are: Maribor (a little over 100,000 inhabitants), Celje (42,000), Kranj (37,000), Velenje (28,000) and Koper (25,000).

2. The Gross National Product (GNP) of the Republic of Slovenia amounted in 1991 to SIT 349,557,000,000, or US\$ 12,678,000,000. GNP per capita amounted in 1991 to SIT 174,624, or US\$ 6,334. The annual rate of inflation amounted in 1992 to 201.3 per cent, and in the month of March 1993 to 1.4 per cent for that month. In January 1993 unemployment was at 13.4 per cent.

3. Data on foreign indebtedness of the Republic of Slovenia as at 31 January 1993 are as follows:

- (a) Entire debt (EDT) - US\$ 1,746 million;
- (b) Long-term debt (LDOD) - US\$ 1,677 million;
- (c) Public and publicly guaranteed debt - US\$ 1,214 million;
- (d) Private non-guaranteed debt - US\$ 463 million;

- (e) IMF funds used - US\$ 25 million;
- (f) Short-term debt - US\$ 44 million;
- (g) Lapsed interest on long-term debt - US\$ 1 million.

4. The entire foreign debt of the Republic of Slovenia relates exclusively to credits which were used by subjects in the Republic of Slovenia. The unidentified debt from former Yugoslavia (ca. US\$ 3.1 billion) will be subject to the division of the settlement of accounts between the republics of former Yugoslavia.

5. According to data from the population census (of 31 March 1991) there were in the Republic of Slovenia 404,358 people, or 20.6 per cent of the entire population, below the age of 15 years. There were 1,561,628 people, or 79.4 per cent of the population, over 15 years; of these, 744,982 (47.7 per cent) males and 816,646 (52.3 per cent) females. There are no data available for the percentages of the population over 65 years.

6. With regard to nationality, Slovenia's population is relatively homogeneous, since almost nine tenths of the population (87.8 per cent) are Slovenes. Of the rest, the most numerous nationalities are Croats (2.8 per cent), Serbs (2.4 per cent) and members of other nations of the former multinational Yugoslavia (Muslims, Macedonians, Montenegrins, Albanians and others). Two original national minorities live in the Republic of Slovenia, with a Hungarian community in the east of the country and an Italian community in the west, although both communities are small in number, with a total of 8,503 Hungarians and 3,044 Italians.

7. With regard to religion, the population of Slovenia is predominantly Catholic (71.4 per cent). There are a few members of other religions. Thus, for example, the Orthodox church represents 2.2 per cent, Muslims 1.5 per cent and Protestants 0.9 per cent of the population. For 15 per cent of the population the religious profession is not known, 4.5 per cent are atheists, while 4.3 per cent indicated in the census that they did not wish to answer the question to which religion they belonged.

8. The educational structure of the population over 15 years - by sex - is as follows:

(a) There are 7,234 illiterates, or 0.4 per cent of the population; of these 2,879 men and 4,355 women;

(b) Those with no schooling or with 1 to 3 years of primary school education form 1.7 per cent of the population, representing 1.6 per cent of males and 1.9 per cent of females;

(c) 15.3 per cent of the population have completed the fourth to seventh grade of primary school, representing 14.1 per cent of males and 16.4 per cent of females;

(d) Full primary education (previously 7 years, now 8 years) has been achieved by 29.9 per cent of the population, representing 23.7 per cent of males and 35.5 per cent of females;

(e) 42.8 per cent of the population have secondary school education; this represents 49.7 per cent of males and 36.7 per cent of females;

(f) 4.5 per cent have a higher education, 4.2 per cent of men and 4.9 per cent of women;

(g) 4.3 per cent of the population have a university education, representing 5.2 per cent of men and 3.2 per cent of women.

For approximately 1 per cent of the population, data on school education is not known.

9. Life expectancy in the period 1989-1990 amounts to 69.4 years for men and 77.2 years for women.

10. Infant mortality - calculated per 1,000 inhabitants - in the following age groups amounted in 1990 to:

0 years:	9.7 males and 6.6 females
1-4 years:	0.5 males and 0.3 females
5-9 years:	0.3 males and 0.2 females
10-14 years:	0.3 males and 0.2 females.

11. The average number of live-born children per woman - calculated per 1,000 women - amounted in 1989 to 1.52; in 1990 it was 1.66 and in 1991 it was 1.42.

12. Perinatal mortality was as follows:

(a) In 1989 one woman died as a direct result of childbirth (ectopic pregnancy);

(b) In 1990 two women died indirectly from childbirth;

(c) In 1991 one woman died as a direct result of childbirth (ectopic pregnancy).

13. At the time of the 1991 census there were 640,198 households in the Republic of Slovenia; of these, 348,315, or 54.4 per cent, were in towns and cities and 291,883, or 45.6 per cent, in the country. The number of households headed by a woman was 281,602 (44.1 per cent), of which 164,552 (47.3 per cent) were in urban areas and 117,050 (40.2 per cent) in rural areas. (Note: in Slovenia the category "head of household" is not a legally valid category, but represents the person whom the members of the household themselves determine as their head.)

II. GENERAL POLITICAL STRUCTURE

14. The Republic of Slovenia is one of the youngest States in the world. It was established on the break-up, or collapse, of the former Yugoslavia (SFRY).

15. On the basis of the right to self-determination, which the International Covenant on Civil and Political Rights recognizes and which the Slovene nation had as a recognized right in the Constitution of the former Yugoslavia, the inhabitants of the Republic of Slovenia decided, through an absolute majority in the plebiscite held on 23 December 1990, to form the independent State of the Republic of Slovenia, which would no longer be united with the SFRY. In accordance with this plebiscite decision, the Assembly of the Republic of Slovenia (parliament) as the highest body of power passed on 25 June 1991 the constitutional act - the Basic Constitutional Document on the Independence of the Republic of Slovenia. The Yugoslav Army, which did not respect this constitutional act of parliament and the plebiscite decision of the Slovene people, launched on 27 June 1991 an armed aggression against the Republic of Slovenia. After 10 days this aggression ended with a cease-fire, which was followed in October 1991 by the withdrawal of the Yugoslav Army from the Republic of Slovenia. In this way the Republic of Slovenia had already gained effective control over its entire territory by the second half of 1991. Since January 1992 the Republic of Slovenia has also been internationally recognized as an independent State. To date, it has been recognized by more than 110 countries. In May 1992 the Republic of Slovenia also became a Member of the United Nations.

16. On 23 December 1991 the parliament of the Republic of Slovenia adopted a new Constitution. This Constitution defines the Republic of Slovenia as a democratic republic, as a State based on the rule of law and social welfare. Power is held by the people, and citizens express this power directly and through elections on the principle of the division of power into three branches (legislative, executive and judicial).

17. Legislative power belongs to parliament - the National Assembly - which has 90 delegates. Delegates are elected through general, equal, direct and secret ballots. One delegate each is elected by the Hungarian and Italian minorities respectively. In addition to the National Assembly there is a National Council (40 members), which bears responsibility for social, economic, professional and local interests. The National Council has no legislative jurisdiction, but it can propose the acceptance of laws to the National Assembly, or it may demand that the National Assembly reconsider a law already passed.

18. The President of the Republic represents the State and is the commander-in-chief of its armed forces. The President is elected in direct, general and secret elections. This office holds the same responsibilities and jurisdiction as the office of head of State in other parliamentary democracies, and does not therefore have any broader executive authority - other than in a state of war, when on the proposal of the Government the President may issue decrees with full legal validity.

19. The holder of executive power is the Government of the Republic of Slovenia. The Government and individual ministries are responsible for their work to the National Assembly, which also has jurisdiction over the appointment and relieving of ministers, on the proposal of the Prime Minister. The Prime Minister is elected by the National Assembly on the proposal of the President of the Republic.

20. The tasks of State administration are carried out directly by ministries. By law, local self-governing communities (municipalities), companies, organizations and even individuals may be authorized to fulfil certain functions of State administration.

21. The third branch of power is represented by the judiciary. Judicial power is wielded by judges. In the fulfilment of their judicial functions, judges are independent and are bound only to the Constitution and the law. The office of judge is permanent. Judges are elected by the National Assembly on the proposal of a judicial council. The majority of members of the judicial council are elected by judges from their own ranks, and the remainder are elected by the National Assembly on the proposal of the President of the Republic from among the university professors of law, lawyers and other distinguished legal figures. The arrangement and jurisdiction of the courts are determined by law. It is not permitted in the Republic of Slovenia to set up extraordinary courts, nor in times of peace are military courts permitted. Regular courts are courts of general jurisdiction. There are also specialized courts (e.g. courts for labour disputes and courts for disputes over pensions and invalid insurance).

22. Within the framework of the authority of the judicial branch there is also the Constitutional Court. The Constitutional Court is responsible, inter alia, for decisions regarding the accordance of the law with the Constitution and with ratified international agreements and for decisions on an impeachment by the National Assembly of the President of the Republic, the Prime Minister and individual ministers. The Constitutional Court also holds jurisdiction for deciding on constitutional complaints about the violating of human rights and basic freedoms through individual acts or laws.

III. GENERAL LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

23. The following bodies have jurisdiction in areas which influence human rights in the Republic of Slovenia:

(a) All judicial bodies, that is all courts of general jurisdiction, as well as specialized courts which make decisions on the rights and duties of an individual or charges against an individual;

(b) Other bodies of the judiciary, such State prosecutors, who decide on the penal prosecution of individuals, as well as bodies for the punishment of offences;

(c) All bodies of State administration when in administrative affairs they decide on the rights, obligations and legal benefits of individuals;

(d) Other bodies carrying public authority which may, on the basis of legal empowerment, decide on the rights, duties or legal interests of individuals (such as State institutes for pensions and invalid insurance, institutes for health insurance, institutes for employment and other institutes).

24. Whosoever maintains that one of his or her rights has been violated may obtain due recognition of this violation through the prescribed procedure in court. Where the rights of an individual have been violated in a proceeding in court, or at some other State body or a body with public authority, the individual is guaranteed the right to appeal as well as the right to extraordinary legal means, which vary depending on whether it relates to a criminal, civil, administrative or other proceeding. An individual who claims that a right has been violated may request, against final acts by bodies of State administration, judicial protection (administrative dispute) under conditions and in a manner determined by the Law on Administrative Disputes. If through an individual act a human right or basic freedom of an individual is violated, an individual who has exhausted all regular means before the competent court may lodge a constitutional complaint on which the Constitutional Court decides.

25. The Constitution guarantees to anyone who has been wrongly sentenced, or from whom freedom has been taken away without grounds, the right to rehabilitation and the right to compensation - both for property and non-property. The Law on Criminal Procedure determines the conditions and procedure for compensation and rehabilitation of such persons. The State is bound to compensate these persons. Victims of criminal acts may obtain damages from the perpetrator of the criminal act in the criminal proceedings or in a private suit. If damage has been caused by an official person of a State body in connection with the performing of his or her duties, the injured party may demand compensation directly from the State.

26. The Constitution of the Republic of Slovenia does not determine only individual human rights and freedoms, but also the instruments which are available to individuals for the protection of their rights. These instruments are primarily:

(a) The right to judicial protection - that each person has the right to have a legally constituted court decide on his or her rights without unnecessary delays, independently and without bias (art. 23 of the Constitution);

(b) The right to legal means - each person is guaranteed the right to appeal (art. 25 of the Constitution);

(c) The right to the payment of damages - that each person has the right to the payment of damages for injury or loss caused through the performing of duties or other activity in a manner contrary to the law by a person of a State body, local government body, statutory authority or body which performs such work or activities (art. 26 of the Constitution);

(d) The right to constitutional complaint at the Constitutional Court.

27. The instruments of human rights determined in the Constitution of the Republic of Slovenia are elaborated in greater detail in numerous laws. In the first instance, these are procedural laws, such as the Law on Criminal Procedure, the Law on Lawsuits, the Law on Administrative Procedure, the Law on Executive Procedure and similar, which determine in which cases, in what manner and under what conditions, as well as by which procedure, an individual may use individual human rights instruments where any of his or her rights have been violated. Apart from these procedural laws there are numerous other laws which order individual human rights, in particular rights in the social and economic domains, the specific manner of realizing these laws and the legal instruments which the legal system provides for individuals for the affirmation of their rights.

28. The Constitution of the Republic of Slovenia determines that human rights are realized directly on the basis of the Constitution and that through the law it is possible only to prescribe the manner in which human rights are realized, when the Constitution thus determines or if it is necessary due to the very nature of the individual right (points 1 and 2 of art. 15). This means that the human rights instruments, which are provided in the Constitution, may also be used directly on the basis of the Constitution itself. In spite of this, without the translation of constitutional provisions into internal legislation it is difficult to use these instruments directly on the basis of the Constitution itself, if there is no legally prescribed procedure for their use. Such a case, for example, is a constitutional complaint, a new human rights instrument which exists in the Constitution but which has not yet been put into practice, since there is no appropriate law which might determine its use.

29. In the Constitution a special office is envisaged - the human rights and basic freedoms ombudsman - whose task is the safeguarding of human rights and basic freedoms in relation to State bodies, the bodies of local self-government and those holding public authority. This constitutional provision has not yet been realized, since the parliament has not yet passed the Law on the Human Rights Ombudsman. At present, therefore, the function of monitoring the implementation of human rights in our country is to a certain degree being performed by a special collective body - the Council of Human Rights and Fundamental Freedoms, which the parliament of the Republic of Slovenia elected before the adoption of the new Constitution.

IV. INFORMATION AND PUBLIC AWARENESS

30. Towards the end of the 1980s the Republic of Slovenia, which was then still a part of the SFRY, witnessed concerted efforts by individuals as well as various non-governmental organizations to awaken an awareness of the significance of human rights among people and relevant State bodies. With the transition from a one-party State to a parliamentary democracy and a State of political pluralism after 1990, those efforts became even more extensive and even institutionalized. Apart from various non-governmental organizations such as the Helsinki Federation for Human Rights and Amnesty International, the above-mentioned Council of Human Rights and Fundamental Freedoms was most active in these movements and contributed much to the promotion of human rights in Slovenia. The Council of Human Rights and Fundamental Freedoms organized, in cooperation with the Council of Europe, a number of colloquia,

which were aimed at implementing norms and standards in respect of the protection of human rights embodied in the European Convention for the Protection of Human Rights and Fundamental Freedoms, as well as in many other documents of the Council of Europe.

31. The Council of Human Rights and Fundamental Freedoms also arranged for a translation into Slovene of the European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Social Charter, and it saw to the founding of a basic library on human rights which has exhaustive literature and legal references and which is accessible to the broader public. The Council has also advised on individual violations of human rights through various public statements carried in the press.

32. The report on measures taken for the realization of the International Covenant on Civil and Political Rights will be published for the public.

33. There are weekly and monthly publications in Slovenia covering the legal profession and practice, including Pravnik (Lawyer), Pravna praksa (Legal Practice), Revija za kriminalistiko in kriminologijo (Criminal Investigation and Criminology magazine), Penološki bilten (Penal Bulletin), Teorija in praksa (Theory and Practice) and Zbornik znanstvenih razprav (Collection of Scientific Discussions), in which there appear articles on the protection of human rights.

34. Information and other communications from external sources relating to the area of human rights have as a rule been obtained by the Council of Human Rights and Fundamental Freedoms. Where such information has been addressed to the Government of the Republic of Slovenia, it has generally been directed to the Ministry of Justice, which is also charged with preparing reports in this domain.
